

REMARKS

This communication responds to the Office Action mailed on March 8, 2007. Claims 14 and 16-19 have been amended. No claims were canceled. No claims are added. As a result, claims 1-14 and 16-25 are now pending in this Application.

Interview Summary

The Applicant would like to thank the Examiner, Vernal Brown, for the courtesy of a telephone interview on March 27, 2007 with the Applicant's representative, Mark V. Muller. During the interview, Examiner Brown and Mr. Muller discussed amendments to claims 14 and 15-19. The amendments, implemented to more completely conform the claims to the Patent Office Section 101 Examination Guidelines, have been included herein.

§101 Rejection of the Claims

Claims 14-19 were rejected under 35 U.S.C. § 101 as being non-statutory. The Applicant has amended independent claim 14 to recite a "...computer-readable medium storing computer executable instructions comprising a behavioral level description of a radio-frequency identification (RFID) circuit ...". Claims 16-19 have been amended to conform to the language of claim 14, and not for reasons related to patentability. Claims 16 and 17 have been further amended to depend from claim 14 (instead of from previously-canceled claim 15), and not for reasons related to patentability. In light of the referenced Interview discussion, it is believed that these amendments overcome the concerns expressed by the Office, and the Applicant therefore respectfully requests reconsideration and withdrawal of the rejection under 35 U.S.C. § 101.

Allowable Subject Matter

The Applicant notes with appreciation that claims 1-13 and 20-25 have been allowed. As noted above, claims 14 and 16-19 should also now be in condition for allowance, such that all pending claims can be allowed.

CONCLUSION

The Applicant respectfully submits that all of the pending claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone the Applicant's attorney at 210-308-5677 to facilitate prosecution of this Application. If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

CHRISTOPHER J. DIORIO ET AL.

By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
P.O. Box 2938
Minneapolis, MN 55402
210-308-5677

Date March 27, 2007

By / Mark V. Muller /
Mark V. Muller
Reg. No. 37,509

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop AF, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 27 day of March 2007.

Dawn R. Shaw

/Dawn R. Shaw/

Name

Signature